IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

Con.Case(C).No. 1572 of 2006(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.15549/2006 Dated 18/09/2006

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PETITIONER

M.O.MATHEW, AGED 53, S/O. OUSEPH,
MANAVALAN HOUSE, ALUVA TALUK,
KALADI VILLAGE, NEELESWARAM P.O., 683 584.

BY ADV. SRI.JOHNSON MANAYANI
SRI.P.V.PAULSON

RESPONDENT:

E.THANGAVELU,
AGE AND FATHER'S NAME NOT KNOWN TO THE
PETITIONER, SENIOR MANAGER (TRANSPORT),
SOUTH B.P.C. LTD., 1 KANGANATHAN GARDEN,
11TH MAIN ROAD, ANNA NAGAR, CHENNAI-600 040.

BY ADV. SRI.ANTONY DOMINIC

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN,J.

Cont. Case(C) NO.1572 OF 2006

DATED THIS THE 9TH DAY OF JANUARY, 2007

J U D G M E N T

This contempt case is filed by the petitioner in W.P.(C) No.15549/06 complaining of non-compliance with my direction to refund to the petitioner an amount of Rs.20,000/-, which was the security deposit made by the petitioner as security for due performance of the contract entered into by the petitioner with respondent. Although the petitioner now admits that subsequent to filing of the contempt case the amount has been paid, he insists on payment of costs in view of the fact that he has been made to file two cases before this court to get an amount which was admittedly due to him. He also points out that he has not received any interest on this amount also. Taking into account all the facts, I feel that the petitioner's claim for costs is eminently justified. In the above circumstances, while closing the Contempt case I direct the respondent to pay to the petitioner a sum of Rs.5,000/- as costs.

The contempt case is disposed of as above.

(S. SIRI JAGAN, JUDGE)

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